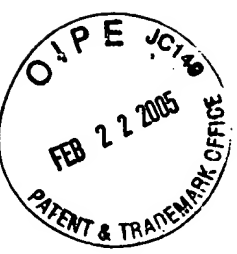


IFW
1645



PATENT
ATTORNEY DOCKET NO. 50111/043002

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Guy Beardsley
Printed name of person mailing correspondence

Guy Beardsley
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|--|---------------|-------|
| Applicant: | Stinson et al. | Art Unit: | 1645 |
| Serial No.: | 09/215,163 | Examiner: | Zeman |
| Filed: | December 18, 1998 | Customer No.: | 21559 |
| Title: | Humanized Monoclonal Antibodies That Protect Against Shiga Toxin Induced Disease | | |

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REPLY TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE AND/OR AMINO ACID SEQUENCES

In reply to the Notice to Comply with Requirements for Patent Applications
Containing Nucleotide and/or Amino Acid Sequences that was mailed in connection with
the above-captioned application on January 18, 2005, a copy of which is provided,
applicant submits the following:

A substitute paper copy of the Sequence Listing.

A substitute copy of the Sequence Listing in computer readable form.

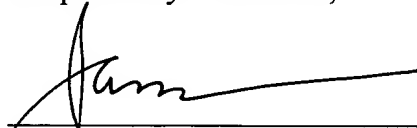
A statement that the contents of the paper and computer readable forms of the Sequence Listing are the same as one another and contain no new matter.

A preliminary amendment requesting that this sequence listing replace the current sequence listing found at the end of the specification.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 18 February 2005



James D. DeCamp, Ph. D.
Reg. No. 43,580

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/215,163 | 12/18/1998 | JEFFREY R. STINSON | 04995.0032-0 | 7721 |

21559 7590 01/18/2005

CLARK & ELBING LLP
101 FEDERAL STREET
BOSTON, MA 02110

EXAMINER

ZEMAN, ROBERT A

ART UNIT PAPER NUMBER

1645

DATE MAILED: 01/18/2005

JAN 21 2005

Please find below and/or attached an Office communication concerning this application or proceeding.

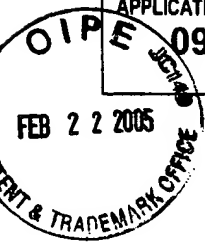
ACTION DUE Reply
DUE DATE 2-18-05
ESP 7-18-05
INITIALS mn



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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|--|-------------|--|---------------------|
| APPLICATION NO./CONTROL NO. 09/215,163 | FILING DATE | FIRST NAMED INVENTOR/PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|--|-------------|--|---------------------|



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| EXAMINER |
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Robert A. Zeman

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|----------|-------|
| ART UNIT | PAPER |
|----------|-------|

1645

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

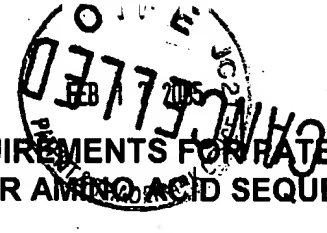
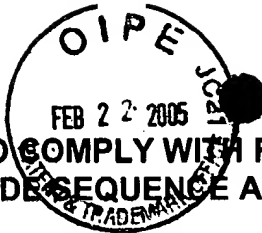
Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Robert A. Zeman** whose telephone number is (703)-308-7991.

LFS
LYNETTE R. F. SMITH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600



NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: the sequence listing does not include all prior application numbers and/or filing dates of said applications. See MPEP 2424.02.

Applicant Must Provide:

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

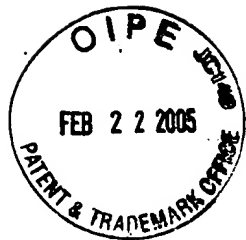
For CRF Submission Help, call (703) 308-4212

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PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY



PATENT
ATTORNEY DOCKET NO. 50111/043002

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Guy Beardsley

Printed name of person mailing correspondence

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | Stinson et al. | Art Unit: | 1645 |
| Serial No.: | 09/215,163 | Examiner: | Zeman |
| Filed: | December 18, 1998 | Customer No.: | 21559 |
| Title: | Humanized Monoclonal Antibodies That Protect Against Shiga Toxin Induced Disease | | |

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PRELIMINARY AMENDMENT

Prior to examination of the above-captioned application, kindly amend the application as follows.

AMENDMENTS TO THE SPECIFICATION

Replace the current sequence listing with the sequence listing submitted herewith.

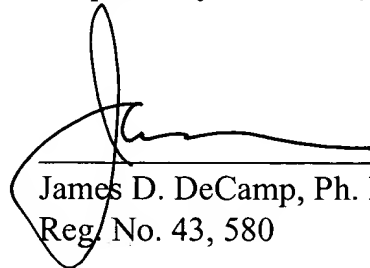
REMARKS

Applicants have replaced the sequence listing as filed with a sequence listing that includes all prior application numbers and filing dates. No new matter has been added by the present amendment.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 18 February 2005



James D. DeCamp, Ph. D
Reg. No. 43, 580

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045



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Guy Beardsley

Printed name of person mailing correspondence

Signature of person mailing correspondence

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STATEMENT UNDER 37 C.F.R. § 1.825

In reply to the Office action that was mailed in connection with the above-captioned application on January 18, 2005 and as required by 37 C.F.R. § 1.825(b), enclosed is an amended Sequence Listing consisting of 10 sheets. As is noted in the concurrently filed Preliminary Amendment, this sequence listing replaces the current sequence listing found at the end of the specification.

Applicants have replaced the sequence listing as filed with a sequence listing that includes all prior application numbers and filing dates of said application. I hereby

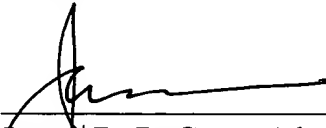
submit that the substitute sheets contain no new matter.

As required by 37 C.F.R. § 1.825(e), enclosed is a diskette containing a copy of the Sequence Listing in computer readable form, including all previously submitted data with the amendments incorporated therein. The contents of the computer readable form of the Sequence Listing are the same as the contents of the paper sheets.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 18 February 2005



James D. DeCamp, Ph. D.
Reg. No. 43,580

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